

EXHIBIT 30

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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

IN RE:

SEAGATE TECHNOLOGY, LLC
LITIGATION,

Case No.

3:16-cv-00523 JCS

VIDEOTAPED

DEPOSITION OF: DUDLEY LANE DORTCH, IV

DATE: Wednesday, July 12, 2017

TIME: 9:55 a.m through 3:37 p.m.

LOCATION: Magna Legal Services
960 Morrison Drive
Charleston, South Carolina

TAKEN BY: Attorneys for the Defendant
Seagate Technology, LLC

COURT REPORTER: MADONNA M. FARRELL
Registered Professional Reporter
Certified Livenote Reporter
CaseViewNet Realtime Reporter

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<p style="text-align: right;">Page 94</p> <p>1 Exhibit B, that you recall reviewing at the time?</p> <p>2 MR. AXLER: Objection. Asked and</p> <p>3 answered. Misstates prior testimony.</p> <p>4 MS. McLEAN: That's a question. I'm</p> <p>5 not stating any testimony.</p> <p>6 THE DEPONENT: No, not specifics.</p> <p>7 BY MS. McLEAN:</p> <p>8 Q. Do you recall reviewing annualized failure</p> <p>9 rate?</p> <p>10 A. I do remember seeing that. I do remember --</p> <p>11 and not just in this particular data sheet, but</p> <p>12 Seagate has always been very low. I do remember</p> <p>13 that in the history.</p> <p>14 Q. In particular, with the purchase of these</p> <p>15 drives, did you consider that piece of information?</p> <p>16 A. I think I looked at any abnormalities for</p> <p>17 that. But honestly, Seagate's data sheets have</p> <p>18 always said less than 1 percent. I can't think of</p> <p>19 one that has ever been over less than 1 percent, on</p> <p>20 any of these that I've ever seen. Which stands to</p> <p>21 reason. You have a good drive, right?</p> <p>22 Q. Right.</p> <p>23 So my question to you is, did you review</p> <p>24 that information in particular with regard to your</p> <p>25 purchase of the ST3000DM001?</p>	<p style="text-align: right;">Page 96</p> <p>1 extent it calls for a legal conclusion. You</p> <p>2 can answer.</p> <p>3 THE DEPONENT: In my specific</p> <p>4 application, I was looking for a drive to</p> <p>5 fit my need, which was a network array, a</p> <p>6 network storage array, or a NAS, and a RAID</p> <p>7 configuration.</p> <p>8 And based on that, on the data sheet</p> <p>9 that we just looked at, on the front page of</p> <p>10 that, it says that this drive was</p> <p>11 suitable -- maybe it says something</p> <p>12 different. Let's see. It says that falls</p> <p>13 under the Best-Fit Applications.</p> <p>14 BY MS. McLEAN:</p> <p>15 Q. And you're looking at the first page of</p> <p>16 Exhibit B?</p> <p>17 A. Yes.</p> <p>18 Q. Were those the only statements that you</p> <p>19 considered to be material and which you relied on</p> <p>20 in purchasing the drives?</p> <p>21 A. No.</p> <p>22 Q. What other statements did you consider to be</p> <p>23 material?</p> <p>24 A. I think we just went over that. It would</p> <p>25 have been the data sheet for that particular drive.</p>
<p style="text-align: right;">Page 95</p> <p>1 A. I probably did note it, just as I'm looking</p> <p>2 at it today.</p> <p>3 Q. You don't recall specifically?</p> <p>4 A. I would have recalled anything out of the</p> <p>5 norm, and I don't remember that being a factor --</p> <p>6 that that looks like a normal failure rate to me.</p> <p>7 So I would have checked that box on my -- it's</p> <p>8 okay.</p> <p>9 Q. In Paragraph 236 --</p> <p>10 A. Which exhibit? 8 still?</p> <p>11 Q. Yeah, we're still in Exhibit 8.</p> <p>12 In Paragraph 236, you say you reviewed the</p> <p>13 Barracuda Data Sheet. Specifically, you read the</p> <p>14 statements on the data sheet regarding the</p> <p>15 suitability of the drive for RAID and NAS?</p> <p>16 A. Yes.</p> <p>17 Q. You considered these statements to be</p> <p>18 material and relied on them?</p> <p>19 A. Yes.</p> <p>20 Q. Is that correct?</p> <p>21 A. Yes.</p> <p>22 Q. What do you mean by your -- you considered</p> <p>23 these statements to be material and relied on them?</p> <p>24 A. In my specific --</p> <p>25 MR. AXLER: Objection. Compound to the</p>	<p style="text-align: right;">Page 97</p> <p>1 Voltage tolerance. I mean, this is just the same</p> <p>2 stuff we looked at -- we talked about just a minute</p> <p>3 ago. Operating temperature, that's good. I mean,</p> <p>4 there's some other things on here that I would look</p> <p>5 at, just like I looked at it today, when buying</p> <p>6 something for somebody today, either at work or at</p> <p>7 home. There's still pertinent information on this</p> <p>8 data sheet.</p> <p>9 Q. Okay. Well, in a legal context, I'm asking</p> <p>10 you about what, in particular, you considered and</p> <p>11 relied on in buying the Seagate drives.</p> <p>12 A. Uh-huh.</p> <p>13 Q. In the Complaint, Paragraph 236, you mention</p> <p>14 only the suitability of the drive for RAID and NAS.</p> <p>15 Are you saying now that there were other factors</p> <p>16 that you considered to be material and relied on</p> <p>17 that are not listed in Paragraph 236?</p> <p>18 MR. AXLER: Objection. Asked and</p> <p>19 answered. You can answer.</p> <p>20 THE DEPONENT: In particular, the</p> <p>21 Best-Fit Applications -- this drive fit what</p> <p>22 I needed it to do under Best-Fit</p> <p>23 Applications. Did I look at other data on</p> <p>24 here to make a determination that there was</p> <p>25 anything that would cause me to think this</p>

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<p style="text-align: right;">Page 98</p> <p>1 drive wouldn't work? Sure. I read all of</p> <p>2 the data on this sheet and still felt that</p> <p>3 this drive was the best fit.</p> <p>4 BY MS. McLEAN:</p> <p>5 Q. But my question was specifically, were there</p> <p>6 any statements other than those under Best-Fit</p> <p>7 Applications on Exhibit B that you recall</p> <p>8 reviewing, relying on and considering material to</p> <p>9 your decision at the time?</p> <p>10 MR. AXLER: Objection. Asked and</p> <p>11 answered.</p> <p>12 THE DEPONENT: To the best of my</p> <p>13 recollection, no.</p> <p>14 BY MS. McLEAN:</p> <p>15 Q. Okay.</p> <p>16 MR. AXLER: Also add an objection to</p> <p>17 the extent it calls for a legal conclusion.</p> <p>18 MS. McLEAN: Well, there's no question</p> <p>19 pending.</p> <p>20 MR. AXLER: I'm just adding to the</p> <p>21 prior objection.</p> <p>22 BY MS. McLEAN:</p> <p>23 Q. All right. I'm looking now at the next</p> <p>24 paragraph, Paragraph 237. It states, "Defendant's</p> <p>25 statements were misrepresentations because the</p>	<p style="text-align: right;">Page 100</p> <p>1 purchasing the drives were misrepresentations?</p> <p>2 A. Do I have any opinions?</p> <p>3 Q. Correct.</p> <p>4 A. There is some concern, yes.</p> <p>5 Q. What do you mean by "some concern"?</p> <p>6 A. That the drives weren't actually designed to</p> <p>7 do what that statement says they should do.</p> <p>8 Q. Which would be?</p> <p>9 A. The data sheet. The data sheet -- the data</p> <p>10 sheet data is not exactly what these drives were</p> <p>11 designed to do.</p> <p>12 Q. And --</p> <p>13 A. Or to the best of my knowledge, that would</p> <p>14 be what the communications, the warranty team, is</p> <p>15 trying to communicate back to me as an end user.</p> <p>16 That would be Seagate's warranty -- what you do you</p> <p>17 call them? Team? Section? Communications? I</p> <p>18 don't know how you word it, what you call it. It's</p> <p>19 the warranty team call in, do a warranty, those</p> <p>20 guys.</p> <p>21 Q. Well, my question to you is not about the</p> <p>22 warranty. It's about, in particular, what</p> <p>23 statements you believed. And you believed today,</p> <p>24 as you sit here, were misrepresentations?</p> <p>25 A. Uh-huh. The statement that they were</p>
<p style="text-align: right;">Page 99</p> <p>1 drives were not fit for NAS, were not designed for</p> <p>2 RAID-5, and were not suitable for any RAID</p> <p>3 configuration." Do you see that?</p> <p>4 A. Yes.</p> <p>5 Q. Do you know that of your personal knowledge?</p> <p>6 A. Do I know that this statement was as a fact,</p> <p>7 as in --</p> <p>8 Q. Correct. Is this your statement here, that</p> <p>9 you believe the statements were misrepresentations</p> <p>10 the drives were not fit for NAS, were not designed</p> <p>11 for RAID-5, and were not suitable for any RAID</p> <p>12 configuration?</p> <p>13 MR. AXLER: Objection.</p> <p>14 BY MS. McLEAN:</p> <p>15 Q. Is that your opinion?</p> <p>16 MR. AXLER: Objection to the extent it</p> <p>17 calls for a legal conclusion.</p> <p>18 And to the extent your knowledge comes</p> <p>19 from communications with your attorneys,</p> <p>20 I'll instruct you not to answer.</p> <p>21 THE DEPONENT: I will not answer that</p> <p>22 question.</p> <p>23 BY MS. McLEAN:</p> <p>24 Q. Well, do you have any opinion about whether</p> <p>25 any of the statements that you relied on in</p>	<p style="text-align: right;">Page 101</p> <p>1 designed for a NAS and that they were designed to</p> <p>2 be used in a RAID array.</p> <p>3 Q. And why do you believe those were</p> <p>4 misrepresentations?</p> <p>5 A. Because the communications that I had from</p> <p>6 Seagate was that they should not be used in a RAID</p> <p>7 array and they should not be used on a NAS.</p> <p>8 Q. What communication is that?</p> <p>9 A. Through telephone communications with the</p> <p>10 warranty team. I don't think that that's -- I</p> <p>11 don't know if that was ever brought up as</p> <p>12 specifics. But that was basically what I was told,</p> <p>13 was that they shouldn't be used in that capacity.</p> <p>14 Q. Who told you that?</p> <p>15 A. Seagate.</p> <p>16 Q. When?</p> <p>17 A. It would have been during one of the times</p> <p>18 that I called for a warranty request. I can't tell</p> <p>19 you when.</p> <p>20 Q. Somebody told you this over the phone?</p> <p>21 A. Yeah. I think it was after the fact, that</p> <p>22 they were not going to do any more warranty. And</p> <p>23 they had said something to the effect that these</p> <p>24 were desktop hard drives; they are not meant to be</p> <p>25 used in any sort of server or array or something</p>

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	Page 202	
1	ERRATA PAGE	
2	PAGE # - LINE #	CHANGE AND/OR CORRECTION
3		(AND EXPLANATION)
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20	THE ABOVE CHANGES WERE NOTED BY ME ON THIS ERRATA	
21	PAGE BEFORE SIGNING THE ATTACHED VERIFICATION OF	
22	DEPONENT. I HAVE RETAINED A COPY OF THIS ERRATA	
23	PAGE FOR MY RECORDS, AND COURT REPORTER IS TO	
24	ATTACH THIS PAGE AND MY VERIFICATION TO THE	
25	ORIGINAL TRANSCRIPT.	
	DATED:	
	DUDLEY LANE DORTCH, IV	